

November 27, 2006

Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20054

In Re DA 06-2287, released 11/7/06, Public Notice "Request or Exemption from Commission's Closed Captioning Rules," CGB Docket No. 06-181

Dear Commission:

We are submitting this letter as a request for an Extension of at least 60 days from the due date for submitting comments or oppositions in regard to this Public Notice (DA 06-2287).

This public notice lists several hundred petitioners who have filed petitions for exemption from the closed captioning requirements, pursuant to Section 79.1 of the Commission's rules, 47 C.F.R. § 79.1, for their programs. Each of these petitioners claims that compliance would impose an undue burden, as defined in Section 79.1(f) of the Commission's rules, 47 C.F.R. § 79.1(f).

We ask for this Extension for the following reasons:

1. No Public Notice Stating That Such Petitions Were Available For Review on Commission's Web Site

DA 06-2287 states that all of these petitions have been available on the Commission's website since October 12, 2006 located at [http://www.fcc.gov/cgb/dro/caption\\_exemptions.html](http://www.fcc.gov/cgb/dro/caption_exemptions.html).

We were unaware of this website and that the filings in this Docket were in fact on public notice. There has been no Public Notice advising us of this website and these petition filings. We therefore expect the Commission to comply with its own rules for a Public Comment period, pursuant to 47 CFR Part 79.1 (f)(6).

2. Extraordinary Nature of Public Notice

We note that never before has the FCC put on public notice such a mass filing of petitions, totaling several hundred. This is an extraordinary action requiring us to carefully evaluate these petitions. In response to this extraordinary action by the FCC, we ask for a 60 day Extension, so that we may appropriately review and respond.

3. Huge Number of Petitions Filed But Not Made Available Sooner

We note that many of these petitions have apparently been sitting at the Commission for weeks and months, with some filed over a year ago, in 2005. We do not know why there is suddenly a Notice soliciting comment within a 20 day period when the Commission could have put these on public notice in a more timely fashion, such as when each of the petitions came into the Commission.

4. Petitions Appear Deficient or May Lack Supporting Evidence

A brief perusal of the docket in which these petitions are filed indicates that the petition submittals are uneven in providing evidence to support granting an exemption on the basis of undue burden. Therefore, in any responses we may give, we may need to balance carefully the requirements in

the regulations and what the petitioner is asserting. Such a balanced review will take additional time.

For these multiple reasons, we respectfully request an Extension of 60 days in which to respond to petitioners' material submitted.

Sincerely,

Matthew Cook  
President/Owner  
Aberdeen Captioning, Inc.  
22362 Gilberto, Suite 230  
Rancho Santa Margarita, CA 92688  
Cell Phone – 949-412-7335  
Email: [mbcook@cox.net](mailto:mbcook@cox.net)

Becky Isaacs  
VP/Owner  
Aberdeen Captioning, Inc.  
22362 Gilberto, Suite 230  
Rancho Santa Margarita, CA 92688  
Office Phone – 949-858-4415  
Email: [becky@abercap.com](mailto:becky@abercap.com)